

REMARKS

This Amendment is filed together with a Request for Continued Examination (RCE). All rejections and objections of the Examiner are respectfully traversed. Reconsideration and further examination are respectfully requested.

The present amendments include the features of dependent claim 47 into the independent claims 1, 15, 29 and 43. Support for the claim amendments is found throughout the Specification and Drawings as originally filed. For example, support for the claim amendments is found in Fig. 10 as originally filed, and in the discussion regarding "aggregating" a filter to accommodate multiple service reservations from line 12 on page 27 through line 16 on page 28.

Claims 1-6, 9, 11, 12, 15-20, 23, 25, 26, 29-34, 37, 39, 40 and 43-46 stand rejected based on the combination of United States Patent 5,687,167A of Bertin et al. ("Bertin et al.") with United States Patent 6,771,661B1 of Chawla et al. ("Chawla et al."). Applicants respectfully traverse these rejections.

Bertin et al. discloses that connection level controls, including bandwidth allocation, may be applied at connection set up time. See column 2, lines 21-44. Bertin et al. further discloses that a user specified connection request may include data flow characteristics such as a bit rate (column 12, lines 64-67), and that bandwidth request messages may be used in a bandwidth reservation process at the time a connection is set up (column 13, lines 1-17 and 30-62). In column 6, lines 5-26, Bertin et al. discloses that optimum route calculations may be performed to minimize the amount of network resources used to complete a communication path, and that network topology information is updated, by means of control messages, when new links are activated or new nodes added to the network ("dynamic network reconfigurations").

Chawla et al. discloses a system and method which enable a data communications device to be programmed to automatically and dynamically modify allocation of resources upon the occurrence of specific events or times without having to break an active communication session. Resource allocations in Chawla et al. can be made by bandwidth reservations provided to a data communications device via a network policy or via individual bandwidth reservation messages. The bandwidth allocation information of Chawla et al. can specify a session of data communication and future bandwidth modification information, such as a time or event, that will cause the data communications device to modify an amount of bandwidth reserved for the specified session of data communications.

A data communications device in Chawla et al. receives bandwidth allocation information indicating future bandwidth allocation modification information associated with a session of data communication. The data communications device of Chawla et al. then determines a future event upon the occurrence of which the data communications device modifies an amount of bandwidth allocated to the session of data communication. The future event can be determined based upon the future bandwidth allocation modification information and event information such as a time signal from a clock or another event signal. The data communications device of Chawla et al. can detect the occurrence of the future event in the data communications device and in response to detecting its occurrence, can modify the amount of bandwidth allocated to the session of data communications in the data communications device.

Nothing in the combination of Bertin et al. and Chawla et al. disclose or suggest any system or method for allocating resources on a network, including:

... communicating over the network at the future activation time with at least one policy enforcement point, wherein the policy enforcement point is on the path and at an edge of the network, wherein the communicating includes configuring the at least one

policy enforcement point by installing, at the future activation time, at least one internet protocol traffic filter in the policy enforcement point, wherein the installing activates the requested reservation of network resources for the destination address on the network, wherein the internet protocol traffic filter includes a matching criteria and an action, wherein the matching criteria includes at least one internet protocol network address, and wherein the matching criteria allows the policy enforcement point to identify at least one packet and to perform the action on the packet, *wherein the installing at the future activation time of said at least one internet protocol traffic filter in the policy enforcement point includes modifying the matching criteria of a previously installed internet protocol traffic filter by replacing an internet protocol network address of the previously installed internet protocol traffic filter with a range of internet protocol network addresses.* (emphasis added)

as in the present independent claims 1, 15, 29 and 43. In contrast, the "connection reservations" of Bertin et al. include no specific teaching of how the bandwidth reservation is made, and the bandwidth allocation information of Chawla et al. can specify a session of data communication and future bandwidth modification information, such as a time or event, that will cause the data communications device to modify an amount of bandwidth reserved for the specified session of data communications. The combination of Bertin et al. and Chawla et al. provides only for modification information that allows for modifying the amount of bandwidth reserved for a session. Accordingly, the combination of Bertin et al. and Chawla et al. fails to disclose or suggest the features *wherein the installing at the future activation time of said at least one internet protocol traffic filter in the policy enforcement point includes modifying the matching criteria of a previously installed internet protocol traffic filter by replacing an internet protocol network address of the previously installed internet protocol traffic filter with a range of internet protocol network addresses*, as in the present independent claims.

For the above reasons, Applicants respectfully urge that the combination of Bertin et al. and Chawla et al. does not disclose or suggest all the features of the present independent claims 1, 15, 29, and 43, from which claims 2-6, 9, 11, 12, 16-20, 23, 25, 26, 30-34, 37, 39, 40 and 44-

46 depend. Accordingly, the combination of Bertin et al. and Chawla et al. does not form a *prima facie* case of obviousness under 35 U.S.C. 103 with respect to the present independent claims 1, 15, 29 and 43, and dependent claims 2-6, 9, 11, 12, 16-20, 23, 25, 26, 30-34, 37, 39, 40 and 44-46 are believed to be patentable over the combination of Bertin et al. and Chawla et al. for at least the same reasons.

Claims 10, 14, 24, 28, 38 and 42 stand rejected as obvious under 35 U.S.C. 103 over the combination of Bertin et al., Chawla et al., and United States Patent 6,459,682B1 of Ellesson et al. ("Ellesson et al."). Applicants respectfully traverse these rejections.

As discussed in detail above, the combination of Bertin et al. and Chawla et al. fails to disclose or suggest all the features of the present independent claims. Adding the teachings of Ellesson et al. to Bertin et al. and Chawla et al. does not remedy the shortcomings of Bertin et al. and Chawla et al. in this regard. Ellesson et al. teaches a system for controlling packet traffic in a network of originating, receiving and intermediate nodes. Applicants accordingly respectfully urge that combination of Bertin et al., Chawla et al. with Ellesson et al. also does not disclose or suggest any system or method for allocating resources on a network, including the features *wherein the installing at the future activation time of said at least one internet protocol traffic filter in the policy enforcement point includes modifying the matching criteria of a previously installed internet protocol traffic filter by replacing an internet protocol network address of the previously installed internet protocol traffic filter with a range of internet protocol network addresses*, as in the present independent claims. The combination of Bertin et al., Chawla et al. and Ellesson et al. therefore does not form a *prima facie* case of obviousness either under 35 U.S.C. 103 with regard to the independent claims, and dependent claims 10, 14, 24, 28, 38 and 42 are believed to be patentable for at least the same reasons.

The now cancelled claim 47 was rejected for obviousness under 35 U.S.C. 103(a), based on the combination of Bertin et al. and Chawla et al., in combination with United States Patent number 6,785,728 of Schneider et al. Applicants respectfully urge that the combination of Schneider et al. with Bertin et al. and Chawla et al. also does not disclose or suggest the present independent claims.

In column 5, lines 14 through 59 Schneider et al. describe problems with previous access filter systems. In column 23, lines 34 to 53, Schneider et al. teach that users can be identified in a display window (window 909) by IP addresses for purposes of populating an access control list through a graphical user interface. And in column 29, lines 11 through 64, Schneider et al. disclose that a range of IP addresses (1317) can be used to identify users to an access filter. The content of Bertin et al. and Chawla et al. are discussed above with regard to the rejections in paragraphs 1 and 2 of the Office Action. Applicants respectfully urge that the combination of Bertin et al., Chawla et al. and Schneider et al., like Bertin et al., Chawla et al., without Schneider et al., does not disclose or suggest the features of the independent claims, including *wherein the installing at the future activation time of said at least one internet protocol traffic filter in the policy enforcement point includes modifying the matching criteria of a previously installed internet protocol traffic filter by replacing an internet protocol network address of the previously installed internet protocol traffic filter with a range of internet protocol network addresses*, as in the present independent claim 1. In contrast, the access filters of Schneider et al. are described as being used in response to receipt of an access request, at the time the request is received, to identify user groups used for determining whether a requesting user has access to a requested information resource. See column 29, lines 48 through 50. The combination of Bertin et al.,

Chawla et al. and Schneider et al. therefore does not form a *prima facie* case of obviousness either under 35 U.S.C. 103 with regard to the present independent claims.

Reconsideration of all pending claims is respectfully requested.

For the above reasons, Applicants respectfully urge that all rejections of the Examiner should be withdrawn. This application is now considered to be in condition for allowance and such action is earnestly solicited.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone David A. Dagg, Applicants' Attorney at 617.630.1131 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

January 27, 2009
Date

/David Dagg/
David A. Dagg, Reg. No. 37,809
Attorney/Agent for Applicant(s)
44 Chapin Road
Newton, MA 02459
(617) 630-1131

Docket No. 120-296